

REMARKS

Applicants note with appreciation the courteous interview granted by Examiner Ahmed to George H. Gerstman, counsel for applicants. Pursuant to the interview, claims 1, 14, 19, 21, 23, 24, and 28 have been amended to more clearly distinguish the invention from the prior art references. Reconsideration and allowance of the application as amended are respectfully requested.

The present invention concerns a novel vascular occlusive device for aiding and occluding blood to the vasculature or aiding in filling an aneurysm. The rejected claims have been amended to point out that the device set forth in the amended claims comprises a vascular occlusive embolic coil. A thrombus inducing bioactive agent is disposed on the embolic coil. An outer barrier is disposed on the bioactive agent. The outer barrier prevents exposure of the thrombus inducing bioactive agent to bodily fluid when the vascular occlusive device is inserted into a blood vessel. The outer barrier exhibits the characteristic of being substantially inert to bodily fluid but dissolving when exposed to an external fluid agent.


At the interview, it was pointed out to the Examiner that Guruwaiya et al. is significantly different in structure and operation from applicant's invention as now claimed. The Guruwaiya et al. patent concerns a stent which is intended to maintain a vessel open to enable blood flow, which is the opposite of a vascular occlusive device which is intended to occlude blood. In addition, Guruwaiya et al. discloses the use of an anti-thrombic and anti-restenosis drug. This teaches away from using a "thrombosis inducing" drug because Guruwaiya's drug is to prevent thrombosis while applicants' claims call for a thrombosis inducing bioactive agent.

Guruwaiya's outer layer is disclosed as an outer layer that remains on the stent and its purpose is to allow the drug to diffuse through it slowly. There is nothing indicating that it is to be removed by an external agent.

In short, Guruwaiya's stent has the opposite purpose of applicants' vascular occlusive device because Guruwaiya's stent is used for keeping a vessel open and it would be against Guruwaiya's teaching to use a thrombosis inducing drug on Guruwaiya's stent, because it would serve to prevent blood flow. The patent to Eder et al. is not pertinent other than showing the precise type of vascular occlusive device that applicant's invention is intended to improve upon. Combining Guruwaiya and Eder is improper, because they are for opposite purposes and are structurally and functionally significantly different from each other. At the interview, the Examiner recognized the significant differences and indicated that when combined, claims 1 and 2 appear to avoid the prior art of record. Claims 1 and 2 have been combined as amended Claim 1.

A sincere effort has been made to amend the claims in a manner that very clearly distinguishes applicants' invention from the prior art references, whether taken singly or in combination with each other. In view of the foregoing amendments and remarks, it is believed that the application is now in condition for allowance and an early notice of allowance is respectfully requested.

Respectfully submitted,
SEYFARTH SHAW LLP

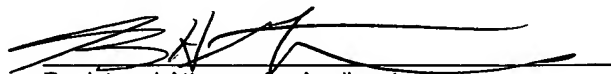


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